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## IN THE UNITED STATES DISTRICT COURT

## FOR THE NORTHERN DISTRICT OF CALIFORNIA

B&amp;O MANUFACTURING, INC.,

Plaintiff,

No. C 07-02864 JSW

v.

HOME DEPOT U.S.A., INC.,

Defendant.

**ORDER SETTING BRIEFING  
SCHEDULE**

This matter is set for a hearing on September 7, 2007, on the motion to dismiss filed by defendant Home Depot U.S.A., Inc. ("Home Depot"). The Court HEREBY ORDERS that Plaintiff's opposition to this motion shall be due by Tuesday, August 7, 2007 and Home Depot's reply, if any, shall be due by Tuesday, August 14, 2007.

If the Court determines that the matter is suitable for resolution without oral argument, it will so advise the parties in advance of the hearing date. If the parties wish to modify this schedule, they may submit for the Court's consideration a stipulation and proposed order demonstrating good cause for any modification requested.

**IT IS SO ORDERED.**

Dated: July 24, 2007

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE